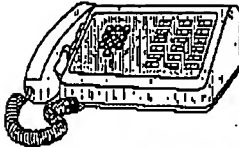


NOV 19 2004

DELIO & PETERSON, LLC**INTELLECTUAL PROPERTY****PATENTS, TRADEMARKS AND COPYRIGHTS**ANTHONY P. DELIO
PETER W. PETERSONROBERT CURCIO
JOHN J. TOMASZEWSKI
KELLY M. REYNOLDS
*NY BAR121 WHITNEY AVENUE
NEW HAVEN, CONNECTICUT 06510-1241
TELEPHONE (203) 787-0595 FACSIMILE (203) 787-5818
E-MAIL delpet@delpet.com

PARAPROFESSIONALS

TODD W. PATTIST
BRENDA A. SULLIVAN**FACSIMILE COVER LETTER**

Our Ref.:	NOVE100041000	Your Ref.:	S/N 10/821,092
Fax No. Called:	703-872-9306		
Please Deliver To:	Director and All Art Units U.S.P.T.O.	PETITION UNDER 37 CFR 1.182 TO RESET DATE FOR RESPONDING TO NOTICE TO FILE MISSING PARTS	
From:	Peter W. Peterson		
Date:	November 19, 2004		

We are transmitting 11 pages (including this cover sheet)**MESSAGE:**

**PETITION UNDER 37 CFR § 1.182 TO RESET
DATE FOR RESPONDING TO NOTICE TO FILE
MISSING PARTS**

IMPORTANT

This entire transmission is intended for use solely by the individual or entity to which it is addressed. It may contain information which is privileged, confidential and otherwise exempt by law from disclosure. If you are not the intended recipient or an employee or agent responsible for delivering this transmission to its intended recipient, you are notified that any disclosure, dissemination, distribution or copying of this transmission is strictly prohibited. If you have received this transmission in error, please telephone us collect immediately and return this communication to us at the above address via the United States Postal Service. Thank you.

RECEIVED
CENTRAL FAX CENTER

NOV 19 2004

DOCKET: NOVE100041000

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE


INVENTOR:	Francisco Juarez)	EXAMINER:
)	
SERIAL NO.:	10/821,092)	ART UNIT:
)	
FILING DATE:	April 08, 2004)	DATE: November 19, 2004
)	
FOR:	Method and)	
	Apparatus for)	
	Modulation of)	
	Precursor Exposure)	
	During a Pulsed)	
	Deposition Process)	

**PETITION UNDER 37 CFR § 1.182 TO RESET DATE
FOR RESPONDING TO NOTICE TO FILE MISSING PARTS**

Mail Stop _____
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I hereby certify that this paper is being facsimile transmitted to
the Patent and Trademark Office on the date shown below.

Name: Barbara Browne Date: November 19, 2004

Signature: 

Dear Sir:

Statement of Facts and Points to be Reviewed

After inquiring as to the status of the above-identified application, on November 18, 2004 applicants first received the Notice to File Missing Parts of Nonprovisional Application dated June 21, 2004. A copy of the Notice and faxed cover letter is attached. This notice was not previously received by applicants' undersigned attorney of record.

The Notice is addressed to Dalzel Williams Jr. in Britton, MI, and not to applicants' undersigned attorney of record. Also attached is a copy of applicants' Declaration and

2

Power of Attorney filed with the application on April 8, 2004, which shows that power of attorney was granted, and correspondence was to be sent, to the undersigned.

Action Requested

Since the error in sending the Notice to File Missing Parts was made by the U.S. Patent and Trademark Office, applicants respectfully request that the Office reset the deadline for response to the Notice to File Missing Parts to January 18, 2005, which would be two months from the date the Notice was actually received by applicants' representative.

Fee

Please charge any fee required in connection with this petition to the undersigned's deposit account no. 04-0566.

Respectfully submitted,



Peter W. Peterson
Reg. No. 31,867

DeLIO & PETERSON, LLC
121 Whitney Avenue
New Haven, CT 06510-1241
(203) 787-0595
nove100041000petition.doc



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address COMMISSIONER FOR PATENTS
20, Box 168
Alexandria, Virginia 22313-0168
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
10/821,092	04/08/2004	Francisco Juarez	NOVE10004100

22891
DELIO & PETERSON
121 WHITNEY AVENUE
NEW HAVEN, CT 06510

CONFIRMATION NO. 8981

RESEND COVER LETTER



0C000000014403362

Date Mailed: 11/18/2004

COVER LETTER FOR RESENDING CORRESPONDENCE

A courtesy copy of the Notice mailed on 06/21/2004 is enclosed. The time period for reply continues to run from the mail date of that Notice.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/821,092	04/08/2004	Francisco Juarez	NOVE10004100

22981
DALZEL WILLIAMS JR.
5811 HOLLOWAY
BRITTON, MI 49229

CONFIRMATION NO. 8981

FORMALITIES LETTER



0000000013005833

Date Mailed: 06/21/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The signature of the following inventor(s) is missing from the oath or declaration:
Patrick VanCleeimput
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement claim(s) commencing on a separate sheet in compliance with 37 CFR 1.75(h) and 1.121 is required.
- A replacement abstract commencing on a separate sheet in compliance with 37 CFR 1.72(b) and 37 CFR 1.121 is required.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$130 for a Large Entity

- \$130 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents

BEST AVAILABLE COPY

P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center
Initial Patent Examination Division (703) 308-1202
PART 1 - ATTORNEY/APPLICANT COPY

-2-

Prior Foreign Application(s)

Priority	Claimed
Yes	No

(Number)	(Country)	(Day/Month/Year)		
----------	-----------	------------------	--	--

(Number)	(Country)	(Day/Month/Year)		
----------	-----------	------------------	--	--

(Number)	(Country)	(Day/Month/Year)		
----------	-----------	------------------	--	--

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as best defined in Title 37, Code of Federal Regulations, Section 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial No.)	(Filing Date)	(Status)
		(granted, pending, abandoned)

(Application Serial No.)	(Filing Date)	(Status)
		(granted, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith: Anthony P. DeLio, Reg. No. 18,729; Peter W. Peterson, Reg. No. 31,867; Robert Curcio, Reg. No. 44,638; John J. Tomaszewski, Reg. No. 26,241; Kelly M. Reynolds, Reg. No. 47,898; all of DELIO & PETERSON, LLC.


Send Correspondence to:

DeLIO & PETERSON, LLC
121 Whitney Avenue
New Haven, CT 06510

Direct Telephone Calls to: Peter W. Peterson of DeLIO & PETERSON, LLC at
(203) 787-0595.

Francisco Juarez

Full name of first inventor


Inventor's Signature

3/25/2004

Date

Fremont

Residence-City

California

Residence-State/Foreign Country

USA

Country of Citizenship

5068 Lawler Avenue, Fremont, California 94536

Post Office Address

Dennis Hausmann

Full name of second joint inventor



Inventor's Signature

3/25/2004

Date

Los Gatos

Residence-City

California

Residence-State/Foreign Country

USA

Country of Citizenship

15901 Escobar Avenue, Los Gatos, California 95032

Post Office Address

-4-

Bunsen Nie

Full name of third joint inventor


Inventor's Signature

Date

3/25/04

Fremont

Residence-City

California

Residence-State/Foreign Country

USA

Country of Citizenship

42706 Hamilton Way, Fremont, California 95438

Post Office Address

Teresa Pong

Full name of fourth joint inventor


Inventor's Signature

Date

3/25/04

Dublin

Residence-City

California

Residence-State/Foreign Country

USA

Country of Citizenship

4557 Mangrove Drive, Dublin, California 94568

Post Office Address

Adrianne Tipton

Full name of fifth joint inventor


Inventor's Signature

Date

3-25-04

~~Fremont~~ Pleasanton

Residence-City

California

Residence-State/Foreign Country

USA

Country of Citizenship

~~4764 Quadres Ct., Fremont, California 94538~~

Post Office Address

6928 Corte Monterey Pleasanton CA
94566

Patrick VanCleemput
Full name of sixth joint inventor

Inventor's Signature

Date

Sunnyvale
Residence-City

California
Residence-State/Foreign Country

Belgium
Country of Citizenship

376 Flora Vista Avenue, Sunnyvale, CA 94086
Post Office Address

nove100041000declar

**This Page is Inserted by IFW Indexing and Scanning
Operations and is not part of the Official Record**

BEST AVAILABLE IMAGES

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images include but are not limited to the items checked:

- ☐ **BLACK BORDERS**
- ☐ **IMAGE CUT OFF AT TOP, BOTTOM OR SIDES**
- ☐ **FADED TEXT OR DRAWING**
- ☒ **BLURRED OR ILLEGIBLE TEXT OR DRAWING**
- ☐ **SKEWED/SLANTED IMAGES**
- ☐ **COLOR OR BLACK AND WHITE PHOTOGRAPHS**
- ☒ **GRAY SCALE DOCUMENTS**
- ☐ **LINES OR MARKS ON ORIGINAL DOCUMENT**
- ☐ **REFERENCE(S) OR EXHIBIT(S) SUBMITTED ARE POOR QUALITY**
- ☐ **OTHER:** _____

IMAGES ARE BEST AVAILABLE COPY.

As rescanning these documents will not correct the image problems checked, please do not report these problems to the IFW Image Problem Mailbox.